

LAWS
OF THE
Forty-fifth General Assembly

OF THE
STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL
OF THE STATE, BEGUN ON THE NINTH DAY OF JANUARY, AND
ENDED ON THE TWENTIETH DAY OF APRIL, A. D. 1933,
IN THE EIGHTY-SEVENTH YEAR OF THE STATE.

GENERAL LAWS

INCLUDING CERTAIN OF THE EMERGENCY ACTS

CHAPTER 1

STATE CONVENTION. AMENDING U. S. CONSTITUTION

S. F. 477

AN ACT to provide for a state convention to determine whether an amendment or amendments to the constitution of the United States, as proposed and submitted by the congress of the United States, shall be ratified, and for the calling of a special election to elect delegates-at-large to such convention, and making appropriations therefor.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Within sixty days from the date on which the governor
2 of Iowa shall receive notice of an amendment to the constitution of
3 the United States proposed by the congress of the United States for
4 ratification by convention in the several states, it shall be the duty
5 of the governor of Iowa, by proclamation to call such convention, to
6 be held at the seat of government in Des Moines, Iowa, not later than
7 three months from the date of issuance of such proclamation.

1 SEC. 2. The proclamation to be issued by the governor, as provided
2 in section one (1), shall fix the date and time for the holding of such
3 convention and the date of the holding of a special election for the
4 election of delegates to such convention.

1 SEC. 3. The date of the special election provided to be stated in
2 the said proclamation shall not be more than thirty (30) days before
3 the date fixed for the holding of such convention.

1 SEC. 4. Subject to the provisions of this act, each county in the
 2 state of Iowa shall be entitled to nominate two persons from among
 3 the qualified voters in each county, respectively, to be candidates for
 4 the office of delegate-at-large to the state convention, provided, how-
 5 ever, that one of such candidates shall be nominated by those favoring
 6 the ratification of such amendment, and one nominated by those op-
 7 posed to the ratification of such amendment. Said delegates shall be
 8 nominated as hereinafter provided.

1 SEC. 5. The nominations for delegates to such convention from
 2 each county shall be made at mass conventions of the qualified elec-
 3 tors of such county in the manner provided for in this act.

1 SEC. 6. Upon the issuance of a proclamation by the governor of
 2 the state of Iowa calling such convention, the qualified voters in each
 3 county in the state shall organize themselves into two groups, one of
 4 which groups shall consist of those persons favoring the ratification
 5 of the amendment proposed by the congress of the United States, and
 6 the other to consist of persons opposed thereto.

1 SEC. 7. At eleven o'clock A. M., on the fourth Monday following
 2 the date of issuance of such proclamation by the governor of the state
 3 of Iowa, the group of qualified voters in each county favoring the
 4 ratification of such proposed amendment, and the group opposed there-
 5 to, shall convene in separate county conventions at the seat of gov-
 6 ernment of such county, at such places as the county auditor of such
 7 county shall designate, and such auditor shall publish such designa-
 8 tion of places by one (1) publication in two (2) newspapers if there
 9 be such two (2) newspapers of general circulation in said county, at
 10 least three (3) days prior to said convention, and shall nominate one
 11 delegate as a candidate to the convention hereinafter provided for.

1 SEC. 8. No person shall be nominated at any county convention
 2 held under the provisions of this act until he has executed and deliv-
 3 ered to the chairman of such county convention a statement signed
 4 by him or her and attested by the chairman and secretary of the con-
 5 vention in the following form:

6 DELEGATE'S STATEMENT.

7 I,, hereby certify that I am
 8 a qualified elector of the state of Iowa; that for more than.....
 9 (years) (months) last past I have resided in the..... ;
 10 that I am favorable to (or opposed to) the ratification of the amend-
 11 ment to the constitution of the United States of America, proposed
 12 by the congress of the United States on the.....day of
 13, 19.....

14 Dated this.....day of....., 19.....

15
 16 For ratification
 17Against ratification
 18 Chairman, county convention
 19 For ratification
 20Against ratification
 21 Secretary, county convention

INSTRUCTIONS TO VOTERS
CANDIDATES FOR DELEGATES-AT-LARGE TO THE STATE
CONVENTION

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			Group of Unofficial Candidates * Names
Group of Candidates Favoring Ratification	Group of Candidates Opposing Ratification		to be Written in by Voter if He so Desires
○	○		○

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The use of voting machines at such special election is hereby prohibited.

1 SEC. 13. At the special election to be held for the purpose of elect-
2 ing delegates to the state convention, as in this act provided, each of
3 the groups of candidates officially nominated shall be voted upon as
4 a unit by placing a cross in the circle at the head of such group; pro-
5 vided, however, if any qualified voter shall so choose to do, he may dis-
6 regard each of the groups of candidates officially nominated as in this
7 act provided, and cast his ballot for any other qualified elector of the
8 state of Iowa. If any such voter shall so determine to disregard the
9 groups of candidates officially nominated and desire to vote for some
10 other elector or electors as candidates, he shall write such elector's
11 name or names, in number not to exceed ninety-nine (99), on the
12 blank lines provided therefor appearing on the ballot in the right hand
13 column designated "Group of unofficial candidates—names to be writ-
14 ten in by voter if he so desires"; and shall vote for such candidates
15 whose names are so written in by him as a unit by placing a cross in
16 the circle appearing at the head of such group. The candidates in the
17 group receiving the largest number of votes shall be the delegates to
18 said convention.

1 SEC. 14. The convention shall be the judge of the election and
2 qualification of its members and shall have power to elect its president,
3 secretary, and other officers and to adopt its own rules.

1 SEC. 15. The convention shall keep a journal of its proceedings in
2 which shall be recorded the vote of each delegate on the question of
3 ratification of the proposed amendment. Upon final adjournment the
4 journal shall be filed with the secretary of state of the state of Iowa.

1 SEC. 16. If the convention shall agree, by vote of the majority of
2 the total number of delegates present, to the ratification of the pro-
3 posed amendment, a certificate to that effect shall be executed by the
4 president and secretary of the convention and transmitted to the
5 secretary of state of the state of Iowa, who shall transmit the certifi-
6 cate under the great seal of the state of Iowa, to the secretary of
7 state of the United States.

1 SEC. 17. All the statutes relating to the manner of conducting
2 elections for state and county officers, so far as applicable, shall gov-
3 ern the election of delegates, except the canvass of the vote and
4 certification thereof shall be made in accordance with section 885 of
5 the code of Iowa, 1931.

1 SEC. 18. The expense of holding such election shall be paid by the
2 state treasurer of the state of Iowa, out of funds in his hands not
3 otherwise appropriated. All bills of necessary and proper expense
4 incurred according to law, shall be submitted to the county auditors
5 in the several counties by claimants with itemized, verified statements
6 of account, which shall be filed with said county auditors within ten
7 (10) days after the holding of such election, and the several county
8 auditors shall thereupon duly itemize and certify such claims for
9 expense to the auditor of state of the state of Iowa, who shall draw
10 warrants therefor to the persons entitled thereto in the amount found
11 to be due. All the ballots for such special election shall be furnished
12 by the secretary of state of the state of Iowa and delivered by him to
13 the several county auditors in the state for distribution to each elec-
14 tion precinct in their respective counties at least three (3) days prior
15 to the date of such special election.

1 SEC. 19. No delegate shall receive any compensation, directly or
2 indirectly, for his services as such delegate.

1 SEC. 20. If at or about the time of submitting any such amend-
2 ment, congress shall either in the resolution submitting the same or
3 by statute prescribe the manner in which the conventions shall be
4 constituted and shall not except from the provisions of such statute
5 or resolution such states as may theretofore have provided for con-
6 stituting such conventions, the preceding provisions of this act shall
7 be inoperative; the convention shall be constituted and shall operate
8 as the said resolution or act of congress shall direct; and all officers
9 of the state who may, by the said resolution or statute, be authorized
10 or directed to take any action to constitute such a convention for this
11 state, are hereby authorized and directed to act thereunder and in
12 obedience thereto, with the same force and effect as if acting under
13 a statute of this state.

1 SEC. 21. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in two (2)
3 newspapers of the state as provided by law.

Senate File No. 477. Approved April 10, 1933.

I hereby certify that the foregoing act was published in the Sioux City Tribune
April 13, 1933, and the Burlington Gazette April 13, 1933.

MRS. ALEX MILLER, *Secretary of State.*

Note: Sioux City Tribune and Burlington Gazette selected in accordance with sec-
tion fifty-five (55), code, 1931.